# Exhibit 10

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF NEW JERSEY**
**CAMDEN VICINAGE**

| | |
|---|---|
| IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION<br><br>This Document Relates To:<br>*All Actions* | Hon. Robert. B. Kugler<br><br>Civ. No. 19-2875 (RBK/JS) |

**PLAINTIFFS' THIRD AMENDED NOTICE OF VIDEOTAPED DEPOSITION TO HETERO LABS LIMITED, HETERO DRUGS, LIMITED, PURSUANT TO FED. R. CIV. P. 30(b)(6)**

TO: Eric Abraham, Esq.
Hill Wallack LLP
21 Roszel Road
Princeton, NJ 08540

*Counsel for Defendants Hetero Labs Limited and Hetero Drugs, Limited*

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30(b)(6), Plaintiffs will take the deposition upon oral examination of one or more designated corporate representatives with regard to the topics set forth on Exhibit A attached hereto. The deposition(s) will commence on a date to be determined, at 9:00 a.m., at a location to be determined, and continue from day to day as needed.

The deposition(s) will be taken upon oral examination before an officer authorized to administer oaths and will continue from day to day, until completed. Testimony given during the deposition will be recorded by sound video recording and stenographic means.

DATED this _____ day of November, 2020.

**MAZIE SLATER KATZ & FREEMAN, LLC**

By: /s/ *Adam M. Slater*

Adam M. Slater
103 Eisenhower Parkway, Suite 207
Roseland, New Jersey 07068
Telephone: 973-228-9898

***Attorneys for Plaintiffs***

**CERTIFICATE OF SERVICE**

I, Adam M. Slater, hereby certify that on November ____, 2020, I caused true and correct copies of the foregoing to be transmitted via ECF to all counsel having registered an appearance on ECF, with courtesy copies served on counsel for Hetero Labs Limited, Hetero Drugs, Limited, Hetero USA Inc., and Camber Pharmaceuticals, Inc., and Defendants' liaison counsel, via email.

DATED this ___ day of November, 2020.

**MAZIE SLATER KATZ & FREEMAN, LLC**

By: /s/ *Adam M. Slater*

Adam M. Slater
103 Eisenhower Parkway, Suite 207
Roseland, New Jersey 07068
Telephone: 973-228-9898

***Attorneys for Plaintiffs***

**EXHIBIT A**

All topics reference information and documents known to, and/or in the possession, custody, or control, of HLL, in the ordinary course of its business.

All references to HLL refer to all entities involved in the manufacture of HLL's valsartan API and/or finished dose,including Hetero Labs, Limited, and Hetero Drugs, Limited.

All references to the "API," or HLL's API are defined to include the valsartan API manufactured, sold, or distributed by HLL.

All references to "finished dose" or HLL's finished dose are defined to include the valsartan finished dose manufactured, sold, or distributed by by HLL

In accordance with the Court's Macro Discovery Order (ECF Doc No. 303), the terms "communications with any regulatory authority," "disclosures to regulatory authorities," and "filings with regulatory authorities" are limited to communications with the United States Food and Drug Administration, except insofar as the communications relate to regulatory inspection reports, warning letters, 483-like documents, responses to those documents, root cause analyses, and actual or potential nitrosamine contamination prior to July 2018, that were sent to or received from any foreign regulatory body during the designated relevant time period.

All references to testing are defined to include testing capable of identifying the presence of nitrosamine contamination (i.e. NDMA, NDEA, NMBA), and/or detecting other carcinogens, general toxic impurities (including genotoxic impurities), and residual solvents, in connection with the manufacture and contents of HLL's valsartan API or finished dose, and include but are not limited to the following:

- Gas Chromatography (GC)
- Gas Chromatography- Flame Ionization Detector (GC-FID)
- Gas Chromatography- Mass Spectrometry (GC-MS)
- Gas Chromatography- tandem Mass Spectrometry (GC-MS/MS)
- Gas Chromatography- Selective Ion Monitoring Mass Spectrometry (GC-SIM MS)
- Gas Chromatography- High Resolution Mass Spectrometry (GC-HRMS)
- Gas Chromatography- Atomic Emission Spectrometry (GC-AES)
- Gas Chromatography- Flame Photometric Detector (GC-FPD)
- Gas Chromatography- Nitrogen Phosphorus Detector (GC-NPD)
- Gas Chromatography- Thermal Conductivity Detector (GC-TCD)
- Gas Chromatography- Photoionization Detector (GC-PID)
- Gas Chromatography- Electrolytic Conductivity Detector (GC-ELCD)
- Headspace Gas Chromatography (HS-GS)
- Liquid Chromatography (LC)
- High Performance Liquid Chromatography (HPLC)
- Liquid Chromatography-Mass Spectrometry (LC-MS)
- Liquid Chromatography-tandem Mass Spectrometry (LC-MS/MS)

- Liquid Chromatography- Selective Ion Monitoring Mass Spectrometry (LC-SIM MS)
- Liquid Chromatography- High Resolution Mass Spectrometry (LC-HRMS)
- Atomic Absorption Spectroscopy (AAS)
- Atomic Emission Spectrometry (AES)

***Nitrosamine Contamination***

1. The cause of the contamination of HLL's valsartan API with nitrosamines, including, but not limited to, NDMA and NDEA.

~~1.~~2. The cause of the contamination of HLL's valsartan finished dose with nitrosamines, including, but not limited to, NDMA and NDEA.

3. The root cause investigation for the nitrosamine impurities, including NDMA and NDEA in the HLL API.

~~2.~~4. The root cause investigation for the nitrosamine impurities, including NDMA and NDEA in the HLL valsartan finished dose.

~~3.~~5. The genotoxic analysis performed by HLL on 4-Bromomethyl-2'cyano biphenyl in response to the FDA's inquiry as part of the Drug Master File submission.

***Testing***

~~4.~~6. The testing performed by HLL or its agents, to evaluate the purity and contents of HLL's API.

~~5.~~7. The testing performed by any entity or person other than HLL or its agents but known to HLL, to evaluate the purity and contents of HLL's valsartan API.

~~6.~~8. The testing performed by HLL or its agents, to evaluate the purity and contents of HLL's finished dose.

~~7.~~9. The testing performed by any entity or person other than HLL or its agents but known to HLL, to evaluate the purity and contents of HLL's finished dose.

~~8.~~10. The chromatogram and mass spectrometry results for all testing by HLL or its agents of HLL's valsartan API.

~~9.~~11. The chromatogram and mass spectrometry results for all testing by any entity or person other than HLL or its agents but known to HLL, of HLL's valsartan API.

~~10.~~12. The chromatogram and mass spectrometry or other results for all testing by HLL or its agents of HLL's finished dose.

~~11.~~13. The chromatogram and mass spectrometry or other results for all testing by any entity or person other than HLL or its agents but known to HLL, of HLL's finished dose.

~~12.~~14. HLL's evaluation of the potential risks to the purity or contents of HLL's API posed or caused by solvents used during the manufacturing process.

15. The chromatogram and mass spectrometry results for all testing by HLL or its agents of the solvents utilized in the manufacture of HLL's valsartan API.

~~13.~~16. The chromatogram and mass spectrometry results for all testing by HLL or its agents of the solvents utilized in the manufacture of HLL's valsartan finished dose.

17. The chromatogram and mass spectrometry results for all testing by any entity or person other than HLL or its agents but known to HLL, of the solvents utilized in the manufacture of HLL's API.

~~14.~~18. The chromatogram and mass spectrometry results for all testing by any entity or person other than HLL or its agents but known to HLL, of the solvents utilized in the manufacture of HLL's valsartan finished dose.

~~15.~~19. The extent of the actual and potential nitrosamine contamination of HLL's valsartan API and valsartan finished dose sold in the United States, both in terms of the concentration per pill, and across all of the lots/batches.

***Quality Assurance and Quality Control Activities***

20. HLL's SOPs/policies/procedures intended to prevent, detect, or act in response to any impurity or contamination of HLL's valsartan API.

~~16.~~21. HLL's SOPs/policies/procedures intended to prevent, detect, or act in response to any impurity or contamination of HLL's valsartan finished dose.

22. HLL's application of cGMPs in connection with the manufacture of HLL's valsartan API.

~~17.~~23. HLL's application of cGMPs in connection with the manufacture of HLL's valsartan finished dose.

24. HLL's SOPs/policies/procedures for determining when it is appropriate to conduct a genotoxic analysis of the process associated with API manufacturing.

~~18.~~25. HLL's SOPs/policies/procedures for determining when it is appropriate to conduct a genotoxic analysis of the process associated with finished dose manufacturing.

***Process Development***

~~19.~~26. The development of each Drug Master File for HLL valsartan API sold in the United States, including any risk assessments conducted on starting materials, or solvents.

~~20.~~27. The use of solvents, and the Tetrazole ring formation step, in the manufacturing process for HLL's valsartan API, including: (1) the reasons for each, and any modifications, (2)

the testing and evaluation in connection with each, including any modification, and (3) the relationship between each, including any modifications, and the nitrosamine contamination of HLL's valsartan API.

~~21.~~28. Any evaluation conducted by or on behalf of HLL with regard to health or safety issues arising from the use of solvents, and the Tetrazole ring formation step, in the manufacturing process for HLL's valsartan API.

~~22.~~29. HLL's evaluation and knowledge of the risk of the creation of nitrosamines including NDMA and NDEA as a result of the manufacturing process for HLL's valsartan API.

30. HLL's evaluation and knowledge of the health risks of nitrosamines including NDMA and NDEA, including but not limited to as a contaminant of HLL's valsartan API.

~~23.~~31. HLL's evaluation and knowledge of the health risks of nitrosamines including NDMA and NDEA, including but not limited to as a contaminant of HLL's valsartan finished dose.

***Communications with Regulatory Agencies***

~~24.~~32. The communications with any regulatory authority, including but not limited to the FDA, with regard to the use of solvents, and the Tetrazole ring formation step, in the manufacturing process for HLL's valsartan API.

~~25.~~33. HLL's communications with regulatory authorities, including the FDA, with regard to the actual or potential contamination of HLL's valsartan API with nitrosamines including NDMA and NDEA.

~~26.~~34. HLL's filings with regulatory authorities, including the FDA, regarding manufacturing process changes for HLL's Valsartan API Drug Master Filings for the valsartan API sold in the United States.

***HLL's Communications with Finished Dose Customers and Downstream Customers***

~~27.~~35. HLL's oral and written communications with its valsartan API Customers (including vertically integrated facilities) or other downstream entities (i.e. wholesalers, retailers, consumers, TPP's) regarding quality, purity, or contamination issues related to the HLL API.

36. HLL's oral and written statements to finished dose manufacturers, wholesalers, retailers, and consumers with regard to the contents and purity of HLL's valsartan API.

~~28.~~37. HLL's oral and written statements to finished dose manufacturers, wholesalers, retailers, and consumers with regard to the contents and purity of HLL's valsartan finished dose.

38. HLL's product recall for valsartan API, including who HLL communicated with, how, about what, and the retention of recalled or sequestered HLL valsartan API, including as a component of finished dose.

~~29.~~39. HLL's product recall for valsartan finished dose, including who HLL communicated with, how, about what, and the retention of recalled or sequestered HLL valsartan finished dose.

~~30.~~40. All credits, indemnification, refunds, and/or penalties paid or provided by or to HLL in connection with the nitrosamine contamination of HLL's valsartan API and finished dose.

***Compliance with cGMPs***

41. HLL's compliance or non-compliance with cGMPs as it relates to the manufacture, quality assurance, quality control, and sale of HLL's valsartan API.

~~31.~~42. HLL's compliance or non-compliance with cGMPs as it relates to the manufacture, quality assurance, quality control, and sale of HLL's valsartan finished dose.

43. The polices, practices, procedures and trainings for monitoring compliance with cGMPs in the manufacture, quality assurance, quality control, of HLL's valsartan API.

~~32.~~44. The polices, practices, procedures and trainings for monitoring compliance with cGMPs in the manufacture, quality assurance, quality control, of HLL's valsartan finished dose.

***Product Tracing***

45. Tracing of batches and lots of HLL's valsartan API sold downstream and ultimately intended for use by consumers in the United States.

~~33.~~46. Tracing of batches and lots of HLL's valsartan finished dose sold downstream and ultimately intended for use by consumers in the United States.

~~34.~~47. The pricing of HLL's valsartan API that was ultimately sold in the United States.

~~35.~~48. The pricing of HLL's valsartan finished dose that was ultimately sold in the United States.

~~36.~~49. The gross and net profits to HLL from the sale of HLL's valsartan API in the United States.

~~37.~~50. The gross and net profits to HLL from the sale of HLL's valsartan finished dose in the United States.

~~38.~~51. The quantity/units of HLL's valsartan finished dose sold in the United States.

~~39.~~52. HLL's valsartan API sales and pricing data produced by you in this litigation (sample documents to be provided ahead of deposition during meet and confer process).

~~40.~~53. HLL's valsartan finished dose sales and pricing data produced by you in this litigation (sample documents to be provided ahead of deposition during meet and confer process).